

**REMARKS**

This Preliminary Response accompanies a concurrently filed Request for Continued Examination. No new matter is believed to be added to the application by this Response.

**Status of the Claims**

Claims 1-3, 5-8, 12-16, 18-22 and 26 are pending in the application.

**Prior Art Rejections**

Claims 1-3, 5-8, 12-16 and 18-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Heller (U.S. Patent No. 5,854,169). Claims 1, 2, 6-8, 12-16 and 18-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Murasawa (U.S. Patent No. 5,547,823). Claims 4, 9-11 and 17 are rejected under 35 U.S.C. 103(a) as being obvious over Murasawa in view of Eckberg (U.S. Patent No. 5,583,195).

The aforesaid rejections were fully traversed in the Amendment of October 26, 2004, now entered. For brevity, the traversal and discussion of these prior art rejections are not repeated here.

At line 5 of the Advisory Action mailed November 10, 2004, the Examiner stated that the Request for Reconsideration had been considered but does not place the application into condition for allowance because:

It is argued that the proposed amended claims would be allowable over the cited prior art. This is not persuasive for reasons already of record

and because the amendment has not yet been entered. It is noted that the features upon which applicant relies (i.e., the features of the proposed amendment) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *in re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

One of the important aspects differentiating the invention over the cited art resides in that the photocatalyst is only partially covered with polymer, as is shown in the drawing at page 10 of the Amendment of October 26, 2004. Typically, instant claim 1 of the invention (now entered) recites a “partially covered surface” of the photocatalyst and additionally recites a polymer solution that will result in the partial coverage of the catalyst surface. See also claims 7, 8, 15 and 19.

As a result, the features upon which the Applicants rely are recited in the independent claims of the invention.

These rejections are overcome for these additional reasons as well. Withdrawal of these rejections is accordingly respectfully requested.

#### **Information Disclosure Statement**

An Information Disclosure Statement was filed on June 16, 2004 and a copy is attached hereto. The Examiner is accordingly respectfully requested to consider the Information Disclosure Statement filed June 16, 2004 and to make the initialed PTO-1449 form of record in the application.

**Conclusion**

The Examiner's rejections have been fully overcome. No issues remain. The Examiner is accordingly respectfully requested to allow the application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Marc S. Weiner, #32,181

MSW/REG/jls  
0234-0421P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

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